

Message Text

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47

ACTION EUR-25

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03

NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SPC-03 SS-20

USIA-15 DRC-01 /101 W

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R 191538Z MAR 74

FM AMEMBASSY BONN

TO SECSTATE WASHDC 1168

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

AMEMBASSY PRAGUE

AMEMBASSY WARSAW

AMEMBASSY BUDAPEST

USMISSION BERLIN

USMISSION NATO BRUSSELS

UNCLAS BONN 04324

E.O. 11652: N/A

TAGS: PFOR, GW, CZ

SUBJECT: BUNDESRAT DISAPPROVES FRG-CSSR TREATY

1. ON MARCH 8, 1974, THE BUNDESRAT, BY A 21-20 VOTE REFLECTING THE MAJORITY STRENGTH OF CDU AND CSU-GOVERNED STATES, REJECTED THE TREATY BETWEEN THE FRG AND CSSR. SINCE THE LAW PROVIDING FOR RATIFICATION OF THE TREATY DOES NOT REQUIRE BUNDESRAT APPROVAL, THIS ACT DOES NOT ENDANGER THE TREATY. IT CAN AND UNDOUBTEDLY WILL BE RATIFIED BY AN ABSOLUTE MAJORITY OF THE BUNDESTAG IN THE SECOND AND THIRD READINGS, WHICH ARE EXPECTED TO TAKE PLACE IN APRIL OR EARLY MAY.

2. THE BUNDESRAT TOOK ITS POSITION BY APPROVING A MOTION SUBMITTED BY THE STATES OF BADEN-WUERTTEMBERG, BAVARIA, RHINELAND-PALATINATE, SAARLAND, AND SCHLESWIG-UNCLASSIFIED

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HOLSTEIN. THE MOTION SAYS THAT THE BUNDESRAT FAVORS

THE ESTABLISHMENT OF GOOD-NEIGHBORLY RELATIONS WITH
THE CSSR, BUT THAT IT REJECTS THE PRESENT TREATY FOR:

(A) LACK OF CLARITY IN THE FORMULATIONS CONCERNING
THE INVALIDITY OF THE MUNICH AGREEMENT, WHICH COULD
LEAD TO DIFFICULTIES FOR GERMANS LIVING IN THE CSSR;

(B) STATING IN THE PREAMBLE THAT THE MUNICH
AGREEMENT WAS FORCED ON THE CZECHOSLOVAK REPUBLIC,
WHILE NOT MENTIONING THAT THE SUDETEN GERMANS HAD
BEEN DENIED THE RIGHT OF SELF-DETERMINATION;

(C) STATING (IN THE PREAMBLE) THE DESIRE OF BOTH
SIDES TO DRAW A LINE UNDERNEATH THE PAST IN TERMS
WHICH COULD BE INTERPRETED TO LEGITIMATE THE EXPULSION
OF THE SUDETEN GERMANS AND THE EXPROPRIATION OF
SUDETEN GERMAN PROPERTY;

(D) FAILING TO WIN SIGNIFICANT CONCESSIONS FROM
THE CSSR, E.G., A BINDING AGREEMENT ON THE RIGHT OF
ETHNIC GERMANS TO EMIGRATE FROM THE CSSR;

(E) LACKING AN AGREED ARRANGEMENT TO PROVIDE FOR
CONSULAR REPRESENTATION OF WEST BERLIN, INCLUDING THE
PROBLEM OF LEGAL ASSISTANCE.

HILLENBRAND

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